



DISABILITY AND COMMUNICATION ACCESS BOARD

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INTERPRETIVE OPINION

Pursuant to §103-50, Hawaii Revised Statutes (HRS), all buildings and facilities constructed by, or on behalf of the State or any county, shall conform to the Americans with Disabilities Act Accessibility Guidelines (ADAAG) and amendments. In accordance to HRS §103-50 and Chapter 11-217, Hawaii Administrative Rules, the Disability and Communication Access Board has authority to issue interpretive opinions to HRS §103-50 design standards.

Docket: **DCAB 2001-04:** Interpretive Opinion on ADAAG 4.28.1, Alarms - General, and clarification on AAC #95-21, Interpretive Opinion to ADAAG 4.28.1. Are visual alarms required in walk-in freezers that are only for employee use, or for common use?

Summary: Section 4.28.1, General, requires visual signal appliances in buildings and facilities in each of the following areas: restrooms and any other general usage areas (e.g., meeting rooms), hallways, lobbies, and any other area for common use. AAC #95-21 requires: a) An employee's storage room is classified as a common use area..., b) Employee and classroom storage rooms required to be accessible by 4.1, with maneuvering space, shall comply with 4.28. Non-occupiable storage closets are not required to have visual alarms.

The Access Board would not require visual alarm devices in freezers used only by employees because these are considered to be *work areas*, requiring only the ability to approach, enter and exit the area. If students in a school require access as part of the classroom requirement, then it is a *common use area* requiring a visual alarm device. The industry does not appear to have the technology to provide visual alarm devices capable of withstanding the extreme cold temperature of a freezer.

The Department of Justice (DOJ) considers storage rooms (including walk-in freezers) to be *common use areas* that are used for work, but are not assigned work stations. They are general usage areas used by everyone, and therefore require visual alarm devices. If students use the storage room as part of their classroom requirement, then it is a *common use area* requiring a visual alarm device.

However it was indicated that because walk-in freezers are storage rooms that are prefabricated with panels and are prewired with service ramps, they are considered to be *equipment*.

Ruling: For buildings or facilities subject to HRS § 103-50,

ADAAG 4.28.1, Alarms – General, and AAC #95-21

Walk-in freezers are considered to be *equipment* and are not required to be accessible.

[Rul: 04/01] (Auth and Imp: HRS §103-50)

If you have any questions or comments regarding this ruling, please call us at 586-8121.

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